

### REMARKS

The Examiner has allowed claims 8-14 and 16. However, Applicant has amended independent claim 8 herein adding the limitation that the cell is a "nonrechargeable cell" to better reflect that the electrochemical cell of the invention is a "nonrechargeable cell". Accordingly dependent claim 9 has been canceled. There is ample support in the specification for the "nonrechargeable" characteristic of the cell, for example, at p. 7, line 2. The term "primary cell" as used throughout the description in reference to the cell of the invention, e.g. at p. 7, line 2; p. 10, line 7,; p. 14, line 26; and p. 28, line 12 is a recognized term in the art meaning a "nonrechargeable cell" (by contrast a "secondary cell" is recognized as meaning a "rechargeable cell"). Thus, independent claim 8 as amended to include the added limitation restricting the cell to a "nonrechargeable" cell is believed to be in proper form and should be allowed. Formal allowance of amended independent claim 8 is requested.

Applicant has canceled the claims 1-7 and 17-24 thus rendering moot the rejections under 35 USC 102 and 35 USC 103 as applied to these claims. Withdrawal of the these rejections is requested.

Applicant has canceled claim 15 which is a duplicate of claim 11. Accordingly, the Double Patenting rejection which the Examiner has applied under 37 CFR 1.75 on the basis that claim 15 is a duplicate of claim 11 is now also rendered moot. Withdrawal of the Double Patenting rejection is respectfully requested.

The Application is now believed in condition for allowance and a formal allowance is requested upon reconsideration.

The undersigned attorney solicits a telephone call from the Examiner to clarify any questions which the Examiner may have concerning the application. Authorization is hereby given to debit Deposit Account 502271 for any amount owing or credit the same account for any overcharges in connection with this communication.

Date: August 5, 2005

Respectfully submitted,

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I certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on August 5, 2005.

  
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